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October 1, 2006

VIA FACSIMILE ONLY: 571.273.0459Patent Cooperation Treaty (PCT) Legal Administration
Mail Stop PCT
P.O. Box 1450
Alexandria, VA 22313-1450**RECEIVED**

3 OCT 2006

Legal Staff
International DivisionRe: U.S. Patent Application No. 10/526,754 filed March 4, 2005.
Title: FIDUCIAL MARKER HOLDER SYSTEM FOR SURGERY
Our Ref. No.: 209823.0031/26U1

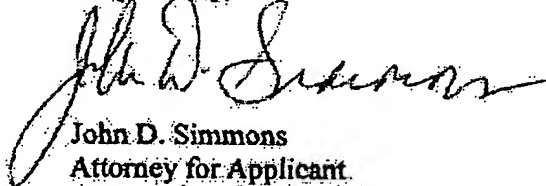
Dear Sir/Madam:

It has come to our attention that an error has been made with regard to the fees presented in the above-identified patent application. While we were entitled to a refund of \$100 for the reduced search fee (applied to our deposit account 50-1017 on 8/1/2006), we are not entitled to the \$300 refund (applied to our deposit account 50-1017 on 8/1/2006). As a result of this \$300 refund, which corresponds to the amount of the basic national fee, the prosecution of this matter has come to a standstill. The application has not yet been docketed, and currently has a first action prediction of 23 months.

Accordingly, we respectfully authorize the Commissioner to hereby charge Deposit Account No. 50-1017 (Billing No. 209823.0031) the \$300 fee in order to ensure that this application does not become abandoned.

Thank you for your prompt attention to the above.

Respectfully,


John D. Simmons
Attorney for Applicant
Registration No. 52,225

JDS/vj